

**WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP**

**Nicole B. Liebman, Esq. (Atty. I.D. No. 034782008)**

**nicole.liebman@wilsonelser.com**

**150 E. 42<sup>nd</sup> Street**

**New York, New York 10017**

**Tel: (212) 915-5885 Fax: (212) 490-3000**

***Attorneys for Defendants Acquavella, Chiarelli, Shuster, Berkower & Co., LLP,  
Joseph Acquavella, Santo Chiarelli, Samuel Shuster, & Maurice Berkower***

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

P. VAN HOVE BVBA, PASCAL VAN  
HOVE GCV, JOHN THOLLON, MICHAEL  
ZABINKSI, JEAN DOYLE, AND MARK  
LAROSA, *individually and on behalf of all  
others similarly situated,*

Plaintiff,

vs.

UNIVERSAL TRAVEL GROUP, INC., *et  
al.*

Defendants.

Case No. 2:11-cv-2164  
(KM)(MCA)

**NOTICE OF DEFENDANTS  
ACQUAVELLA, CHIARELLI,  
SHUSTER, BERKOWER &  
CO., LLP, JOSEPH  
ACQUAVELLA, SANTO  
CHIARELLI, SAMUEL  
SHUSTER, AND MAURICE  
BERKOWER'S MOTION TO  
DISMISS PLAINTIFFS' THIRD  
AMENDED CLASS ACTION  
COMPLAINT**

To: Laurence M. Rosen  
The Rosen Law Firm, P.A.  
609 W. South Orange Avenue  
Suite 2P  
South Orange, NJ 07079  
(973) 313-1887  
*Attorneys for Plaintiffs*

SIR:

PLEASE TAKE NOTICE that pursuant to the Federal Rules of Civil Procedure 8(a), 9(b) and 12(b)(6), on December 21, 2015, at 9:00am, or as soon thereafter as counsel may be heard, Defendants Acquavella, Chiarelli, Shuster, Berkower &. Co., LLP, Joseph Acquavella, Santo Chiarelli, Samuel Shuster, and Maurice Berkower (collectively the “ACSB Defendants”) shall move before the Honorable Kevin McNulty, U.S.D.J., at the United States District Court, M.L. King Jr. Federal Bldg. & Courthouse, 50 Walnut Street, Newark, New Jersey 07102 for an Ordered dismissing Plaintiffs’ Third Amended Class Action Complaint as against said ACSB Defendants with prejudice.

PLEASE TAKE FURTH NOTICE that in support therefore, said ACSB Defendants shall rely on the accompanying Memorandum of Law in Support of Defendants Acquavella, Chiarelli, Shuster, Berkower &. Co., LLP, Joseph Acquavella, Santo Chiarelli, Samuel Shuster, and Maurice Berkower’s Motion to Dismiss the Third Amended Class Action Complaint, the pleadings on file and the Certification of Nicole B. Liebman. Oral argument is requested. A proposed form of Order is also submitted herewith.

Dated: November 25, 2015

By: /s/ Nicole B. Liebman  
William J. Kelly  
Nicole B. Liebman

WILSON ELSER MOSKOWITZ

EDELMAN & DICKER LLP

150 E. 42<sup>nd</sup> Street

New York, NY 10017

Tel: (212) 490-3000

Fax: (212) 490-3037

*Defendants Acquavella, Chiarelli,*

*Shuster, Berkower & Co., LLP,*

*Joseph Acquavella, Santo Chiarelli,*

*Samuel Shuster, and Maurice*

*Berkower*